REMARKS

Claims **1, 2, 4, 5, 8-13, 16, 23** and **26-28** were pending in this application.

Claims **1, 2, 4, 5, 8-13, 16, 23** and **26-28** stand rejected.

Claims **9, 10** and **23** have been **amended**. No new matter has been added.

Claim **29** has been **added**. No new matter is added thereby.

No Claims have been **cancelled** herein.

Therefore, Claims **1, 2, 4, 5, 8-13, 16, 23** and **26-29** are pending in this application.

Interview Summary

On July 19, 2011, a Telephone Interview was conducted between Examiner Haoshian Shih and Applicant's representative Martin R. Wojcik (Reg. No. 57,577). During this interview, Applicant's representative and Examiner Shih discussed 35 U.S.C. § 112 and 35 U.S.C. § 103 rejections. Applicants would like to thank the Examiner for the additional consideration given to Applicants' arguments against these rejections. Applicants respectfully submit that the amendments and remarks presented herein are in harmony with those discussions.

Rejection of Claims under 35 U.S.C. § 112

Claims 1, 9, and 23 stand rejected under 35 U.S.C. § 112, first paragraph, for "failing to comply with the written description requirement." Specifically, on pages 2-3 the Office Action states that "claims 1, 9, and 23 recite 'wherein the requesting of the re-generation is performed subsequent to the generating the requested display page, and the re-generation of the non-realtime information produces re-generated non-realtime information, and caching the re-generated non-realtime information as cached re-generated realtime information, wherein the cached re-generated realtime information is configured to be used when generating another instance of the requested display page in response to a subsequent request for the requested display page' There is no mention in the original specification... If the examiner has overlooked the portion of the original specification that describes the feature of the present invention, then application [*sic*] should point it out."

The Advisory Action additionally states that "[t]he cited figure and paragraph do not disclose whether or not the regenerated non-realtime information ("706") is cached." Applicants

respectfully traverse these rejections in light of the existence of the requisite support in the original specification and in a provisional application associated with the original specification.

Applicants respectfully submit that the support for the amendments can be found in the originally filed specification, e.g., at paragraph [0027] and Fig. 7, among other portions thereof. Applicants respectfully submit that it is clear from Fig. 7 and paragraph [0027], that the claimed non-realtime information is re-generated after the previous non-realtime information is used in generating the requested web page. As a result, this re-generated non-realtime information is available for use, such that "when the display page is next created it can use more current non-realtime information." See paragraph [0027] of the Specification. Fig. 7 clearly illustrates this technique by the depiction therein of the "request to regenerate" element, which is clearly shown between steps 705 and 708. In accordance with the method depicted in Fig. 7, the request to regenerate is clearly shown as being executed after steps 704 and 705. Furthermore, steps 704 and 705, and the request to regenerate are only executed if the non-realtime information is cached, as determined by step 703. Furthermore, as is clearly shown by Figs. 8 and 9, and the corresponding text in the specification, this request for re-generation is processed, and the result is stored in the cache (e.g., "cached").

Furthermore, as discussed during the Interview, Applicants submit that claims 1, 2, 4, 5, 8-13, 16, 23, and 26-28 of the present application claim priority to a provisional patent application (the "Provisional Application") filed on December 9, 2003 (as indicated, e.g., in the current application and the application data sheet). For example, the support for the above-cited elements of claim 1 can be found in the Provisional Application's specification, e.g., at paragraph [0026] and the "request to regenerate" element shown between steps 705 and 708 of Fig. 7, among others. Furthermore, as is clearly shown by Figs. 8 and 9, and the corresponding text in the specification, this request for re-generation is processed, and the result is stored in the cache (e.g., "cached").

It is therefore abundantly clear that the above-referenced limitation of claim 1 is fully and definitively supported by the originally-filed specification and by the provisional application. Furthermore, claims 9 and 23, which recite similar limitations, are also supported by the originally-filed specification and by the provisional application, in the manner noted above. In view of this, Applicants respectfully request that the rejection of claims 1, 9, and 23 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Rejection of Claims under 35 U.S.C. § 103

Claims 1, 2, 4, 5, 8-13, 16, 23, and 26-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hind et al., U.S. Patent 7,346,843 ("Hind") in view of Rajkumar et al., U.S. Patent 7,188,216 ("Rajkumar"), and further in view of Fliess et al., U.S. Patent 7,168,045 ("Fliess"). Applicants respectfully traverse this rejection.

Applicants respectfully submit that Hind, Rajkumar, and Fliess, alone or in any rational combination, fail to teach or suggest all the elements of claim 1, including:

> "...
> if a previously cached version of the non-realtime information is available,
>> generating the requested display page, wherein
>>> the requested display page comprises
>>>> the retrieved realtime information, and
>>>> the previously cached non-realtime information,
>> requesting re-generation of the non-realtime information, wherein
>>> the requesting of the re-generation is performed subsequent to the generating the requested display page, and
>>> the re-generation of the non-realtime information produces re-generated non-realtime information, and
>> caching the re-generated non-realtime information as cached re-generated realtime information, wherein
>>> the cached re-generated realtime information is configured to be used when generating another instance of the requested display page in response to a subsequent request for the requested display page;
> ..."

Applicants respectfully submit that Hind does not teach or suggest at least these features of claim 1, among others. The Office Action, correctly, concedes that Hind does not teach or suggest the above limitations of claim 1. In an attempt to cure this infirmity, the Office Action relies on Rajkumar as prior art to the claimed invention, and cites portions thereof as allegedly teaching such limitations. Applicants respectfully disagree.

As an initial matter, Applicants respectfully traverse the Office Action's position that Rajkumar can be properly considered as prior art to the present claims. Specifically, Rajkumar was filed on December 11, 2003. Applicants submit that claims 1, 2, 4, 5, 8-13, 16, 23, and 26-28 of the present application claim priority to the Provisional Application1 that was filed on December 9, 2003. As argued above and discussed during the Interview, because the Provisional

Application clearly supports claims 1, 2, 4, 5, 8-13, 16, 23, and 26-28, these claims are accorded a priority date that pre-dates Rajkumar. Therefore, Rajkumar cannot properly be characterized as prior art with regard to these claims, including claim 1.

Applicants acknowledge that Rajkumar itself claims priority to a provisional application ("provisional Rajkumar") that was filed on December 13, 2002. Applicants have analyzed provisional Rajkumar, and cannot find any showing, teaching or suggestion of features that could somehow be characterized as teaching or suggesting at least the following elements of claim 1:

"...
if a previously cached version of the non-realtime information is available,
    generating the requested display page
    ...
    requesting re-generation of the non-realtime information, wherein
        the requesting of the re-generation is performed subsequent to the
            generating the requested display page, and
        the re-generation of the non-realtime information produces re-
            generated non-realtime information, and
    caching the re-generated non-realtime information as cached re-generated
        realtime information
..."

Applicants respectfully submit that, in order for a rejection to rely upon the filing date of a provisional application of cited art, the subject matter alleged in the rejection must be disclosed in the earlier-filed provisional application (in this case, provisional Rajkumar) in compliance with 35 U.S.C. 112, first paragraph, in order to give that subject matter the benefit of the earlier filing date. *See* M.P.E.P. § 2136.03. As discussed during the Interview, Applicants respectfully submit that provisional Rajkumar does not teach or suggest, if a previously cached version of the non-realtime information is available, requesting re-generation of the non-realtime information after generating the requested display page, as claimed. For example, the Advisory Action-cited portions of the provisional Rajkumar discuss the manner in which Rajkumar's cache manager receives update information from an application manager and then prepares the cache to be updated. *Provisional Rajkumar* at p. 6. However, as will be appreciated in light of the present response and the original specification, updating a cache based on update information from an application manager is very different from, if a previously cached version of the non-realtime information is available, requesting re-generation of the non-realtime information after

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generating the requested display page, as claimed. Provisional Rajkumar therefore clearly fails to teach or suggest at least these elements of claim 1.

As a result, Rajkumar cannot be used as prior art to claim 1. Consequently, Rajkumar is unavailable for combination with Hind under 35 U.S.C. § 103(a), and so unavailable to provide a combination that (were such a combination appropriate) might somehow be characterized as teaching or suggesting at least these features of claim 1, at least because the references fail to so teach.

Turning now to Fliess, a modeling process is described that consists of translating business objects into features of graphic objects. *Fliess*, 2:24-30. However, Fliess is not concerned with any concept even remotely comparable to, if a previously cached version of the non-realtime information is available, requesting re-generation of the non-realtime information after generating the requested display page, as claimed. The Office Action, correctly, also does not cite Fliess for these limitations of claim 1. Thus, alone or in any rational combination with Hind (since Rajkumar cannot be used as a prior art reference, as noted above), the addition of Fliess does not remedy these deficiencies, and would result in a combination of references that (were such a combination even appropriate) would still fail to teach or suggest at least these features of claim 1.

In summary, since the combination of Hind, Rajkumar, and Fliess does not teach or suggest each and every feature of claim 1, the combination of Hind, Rajkumar, and Fliess cannot render claim 1 obvious. Applicants note that independent claim 9 was amended to move another limitation to a new dependent claim 29. Applicants respectfully submit that independent claim 9, in addition to reciting several limitations not necessarily recited in claim 1, contains the above-argued limitation. Therefore, both independent claims 9 and 23 are patentable over Hind, Rajkumar, and Fliess for similar reasons to independent claim 1, and further in view of their own features.

Furthermore, claims 2, 4, 5, 8, and 26 which depend from independent claim 1, claims 10-13, 16, and 27, which depend from independent claim 9, and claim 28, which depends from claim 23, are patentable over Hind, Rajkumar, and Fliess for at least the reasons provided for their respective base independent claims, and further in view of their own features. Accordingly, Applicants respectfully request that the rejection of claims 1, 2, 4, 5, 8-13, 16, 23, and 26-28 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

New claim 29

New claim 29 is added herein. New claim 29 is dependent on independent claim 9. Applicants respectfully submit that this new claim is allowable at least for the reasons stated for independent claim 9.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicants hereby petition for such extensions. Applicants also hereby authorize that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

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